

Appl. No. 09/521,545
Amendment dated December, 2003
Reply to Office Action of October 20, 2003

REMARKS

Applicants have received and reviewed an Office Action dated October 20, 2003. By way of response, Applicants submit the accompanying Terminal Disclaimer and present the following remarks. Claims 29, 31-51 and 60-74 are pending. Applicants submit that the pending claims are supported by the specification.

For the reasons given below, Applicants submit that the pending claims are in condition for allowance and notification to that effect is earnestly solicited.

Allowable Subject Matter

Applicants acknowledge and appreciate that the Examiner has indicated that claims 29, 31-32, 48-49, and 50-51 are allowable and that claims 43-47, 61-66, and 68-74 would be allowable if they depended from allowable claims.

Only the obviousness type double patenting rejections remain. Applicants have submitted a terminal disclaimer to overcome these rejections. Therefore, the present application is in condition for allowance.

Obviousness-Type Double Patenting Rejections

The Examiner rejected claims 42, 60 and 67 under the judicially created doctrine of obviousness-type double patenting over claims 1-16 of U.S. Patent No. 6,465,178. The Examiner rejected claims 33-41 under the judicially created doctrine of obviousness-type double patenting over claims 1-16 of U.S. Patent No. 6,465,178 in view of an asserted admission. Applicants respectfully traverse these rejections.

Nonetheless, Applicants submit herewith a terminal disclaimer that overcomes these rejections. Applicants do this, not to acquiesce to the rejections, but solely to advance prosecution of the present application.

Accordingly, Applicants respectfully request withdrawal of these rejections. Thus, the only outstanding rejections have been overcome and the application is in condition for allowance.

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Election/Restriction

Applicants acknowledge that the Examiner has made the restriction requirement final. Applicants also note that generic claims are in condition for allowance. Thus, the species election requirement should be withdrawn.

Withdrawn Rejections

Applicants acknowledge and appreciate that the Examiner has withdrawn the previous prior art rejections and acknowledged that Applicants' arguments were persuasive.

Priority

Applicants acknowledge and appreciate that the Examiner has recognized the priority claim for the present application.

Summary

In summary, Applicants submit that each of claims 29, 31-51, and 60-74 are in condition for allowance. The Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

Respectfully submitted,

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Dated: Dec 22, 2003

By: 

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